

CIVIL RIGHTS COMPLAINT PURSUANT TO 42 U.S.C. § 1983

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA**

FILED IN CLERK'S OFFICE
U.S.D.C. -Gainesville

JUL 14 2014

JAMES N. HATTEN, Clerk
By: *[Signature]* Deputy Clerk

Cuba Alaska Martin III

(Enter above the full name and prisoner
identification number of the plaintiff, GDC
number if a state prisoner.)

-VS-

Hall County Sheriff's Office

Hall County Commissioners Office

Sgt Jeff Ashley, Robert Appell, Jailer Allison Sprague
(Enter above the full name of the defendant(s).)

2:14-CV- 156

I. Previous Lawsuits

A. Have you filed other lawsuits in federal court while incarcerated in any institution?

Yes () No (✓)

B. If your answer to A is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit:

Plaintiff(s):

Defendant(s):

2. Court (name the district):

3. Docket Number:

I. Previous Lawsuits (Cont'd)

4. Name of judge to whom case was assigned: _____
5. Did the previous case involve the same facts?
Yes () No ()
6. Disposition (Was the case dismissed? Was it appealed? Is it still pending?):

7. Approximate date of filing lawsuit: _____
8. Approximate date of disposition: _____

II. Exhaustion of Administrative Remedies

Pursuant to 28 U.S.C. § 1997e(a), no prisoner civil rights action shall be brought in federal court until all available administrative remedies are exhausted. Exhaustion of administrative remedies is a precondition to suit, and the prisoner plaintiff must establish that he has exhausted the entire institutional grievance procedure in order to state a claim for relief.

- A. Place of Present Confinement: Hall County Detention Center
- B. Is there a prisoner grievance procedure in this institution?
Yes (☒) No ()
- C. Did you present the facts relating to your complaint under the institution's grievance procedure?
Yes () No (☒)
- D. If your answer is YES:
1. What steps did you take and what were the results?

2. If your answer is NO, explain why not: I asked for a grievance but they would not give me one.

III. Parties

(In item A below, place your name in the first blank and place your present address in the second blank.)

A. Name of Plaintiff: Cuba Alaska Martin III

Address(es): 1070 Riverside Terrace
Gainesville, Ga 30501

(In item B below, place the full name of the defendant in the first blank, his/her official position in the second blank, and his/her place of employment in the third blank. Do the same for each additional defendant, if any.)

B. Defendant(s): Jeff Ashley, Robert Appell, Allison,
Sprague

Employed as Sergeant, Sergeant, Tailer, officer
 at Hall County

IV. Statement of Claim

State here as briefly as possible the facts of your case. Describe how each defendant is involved. Include also the names of other persons involved, dates, and places. **Do not give any legal arguments or cite any cases or statutes.** If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

I was in my cell on April 3 2014. I had jammed
my door so I could come out on both rotations.
Tailer Allison took my jamming device out of the
door and locked me down. (meaning no rotation
that day). I pressed the button to ask to see
the nurse nobody answered so I flooded my cell.
officer came and cut the water off. He then called
for back up before opening my cell door. Sergeant
Jeff Ashley, Robert Appell and officer sprague came.
Sergeant Ashley opened my cell door pointing a

IV. Statement of Claim (Cont'd)

taser gun at me. I asked him not to taze me while I'm standing in water. He told me to turn around and put my hands behind my back. I complied. Somebody handcuffed me. They said get down after I was already in handcuffs I said the floor is wet. They then slammed me in the water on my stomach, officer someone was pushing my face in the water and choking me at the same time sergeant Ashley was punching me in the back of my head while I was trying to turn so I could breathe. Robert Appell was kicking me. I yelled I'm not resisting. He stop hitting me. My friends in the courtroom yelled we see them beating you. Mark Taylor, Brandon Hutchinson, Morgan Raymon, John Patton and others. The officers claimed they slipped. They stood me up and man handled me down the stairs. Officer Sprague and Allison. I said your hurting my arms. They continued with aggressive force as we reached the door and slammed my face twice into the steel door while I'm still handcuffed. I yelled again stop it. They finally opened the door and as I got into the Hall sergeant Ashley slammed me on my chin. I immediately began bleeding from under my chin and my lips and mouth. They scarred my shoulders and I had a knot under my left eye from the door and scratches on my neck and knots on the back of my head from that unnecessary police brutality.

V. Relief

State briefly exactly what you want the Court to do for you. Make no legal arguments. Cite no cases or statutes.

I would like an public apology and each one of them to attend anger management classes. I would also like \$30,000. If possible. I would like for them to stay away from me also. I wish this would never happen again to me or any other inmate incarcerated. I want sergeant Jeff Ashley to attend some type of counseling class for his attempted Murder act with the taser in the water.

